

# SENATE MOTION

## MADAM PRESIDENT:

**I move** that Engrossed House Bill 1398 be amended to read as follows:

- 1 Page 1, between lines 15 and 16, begin a new paragraph and insert:
- 2 **"(e) As used in this section, "E85" has the meaning set forth in**
- 3 **IC 6-6-1.1-103."**
- 4 Page 1, line 16, strike "(e)" and insert **"(f)"**.
- 5 Page 1, after line 17, begin a new paragraph and insert:
- 6 **"(g) As used in this section "mid-level blend fuel" means a fuel**
- 7 **blend consisting of:**
- 8 **(1) at least twenty percent (20%) but not more than**
- 9 **seventy-three percent (73%) ethanol; and**
- 10 **(2) gasoline as the balance."**
- 11 Page 2, line 1, strike "(f)" and insert **"(h)"**.
- 12 Page 2, line 5, strike "(g)" and insert **"(i)"**.
- 13 Page 2, line 5, strike "subsection (i)," and insert **"subsections (k)**
- 14 **and (l),"**.
- 15 Page 2, line 6, delete "ethanol blended fuel (as defined" and insert
- 16 **"mid-level blend fuel or E85"**.
- 17 Page 2, line 7, delete "in IC 6-2.5-7-1(t))".
- 18 Page 2, line 9, strike "(h)" and insert **"(j)"**.
- 19 Page 2, line 9, strike "subsection (i)," and insert **"subsections (k)**
- 20 **and (l),"**.
- 21 Page 2, line 12, strike "(i)" and insert **"(k)"**.
- 22 Page 2, line 13, strike "(g)" and insert **"(i)"**.
- 23 Page 2, line 13, strike "(h):" and insert **"(j):"**.
- 24 Page 2, strike lines 16 through 17.
- 25 Page 2, line 18, delete "ethanol blended fuel (as defined in
- 26 **IC 6-2.5-7-1(t))"**.
- 27 Page 2, line 18, strike "or".
- 28 Page 2, strike line 19.
- 29 Page 2, line 20, strike "(3)" and insert **"(2)"**.
- 30 Page 2, delete lines 24 through 42, begin a new paragraph and
- 31 insert:

1       **"(l) The following vehicles are exempt from the requirements of**  
 2       **subsection (i) or (j), whichever is appropriate:**

3               **(1) A gasoline fueled vehicle in which the use of mid-level**  
 4               **blend fuel or E85 has not been approved by the manufacturer.**

5               **(2) A diesel fueled vehicle in which the use of blended**  
 6               **biodiesel fuel has not been approved by the manufacturer.**

7               **(3) A gasoline fueled vehicle in which the use of mid-level**  
 8               **blend fuel is prohibited by the federal Clean Air Act (42**  
 9               **U.S.C. 7401 et seq.)."**

10       Delete page 3.

11       Page 4, delete lines 1 through 13.

12       Page 6, delete lines 31 through 42.

13       Delete pages 7 through 12.

14       Page 16, delete lines 7 through 42.

15       Page 17, delete lines 1 through 28.

16       Page 17, delete lines 37 through 42, begin a new paragraph and  
 17       insert:

18               **"(d) As used in this section, "E85" has the meaning set forth in**  
 19       **IC 6-6-1.1-103."**

20       Page 18, delete lines 1 through 5.

21       Page 18, between lines 7 and 8, begin a new paragraph and insert:

22               **"(f) As used in this section, "mid-level blend fuel" means a fuel**  
 23       **blend consisting of:**

24               **(1) at least twenty percent (20%) but not more than**  
 25               **seventy-three percent (73%) ethanol; and**

26               **(2) gasoline as the balance."**

27       Page 18, line 8, delete "(f)" and insert "(g)".

28       Page 18, line 12, delete "(g)" and insert "(h)".

29       Page 18, line 12, delete "subsection (i)," and insert "**subsections (j)**  
 30       **and (k),"**

31       Page 18, line 13, delete "ethanol blended fuel" and insert "**mid-level**  
 32       **blend fuel or E85"**

33       Page 18, line 16, delete "(h)" and insert "(i)".

34       Page 18, line 16, delete "subsection (i)," and insert "**subsections (j)**  
 35       **and (k),"**

36       Page 18, line 20, delete "(i)" and insert "(j)".

37       Page 18, line 21, delete "(g)" and insert "(h)".

38       Page 18, line 21, delete "(h):" and insert "(i):".

39       Page 18, delete lines 24 through 27.

40       Page 18, line 28, delete "(3)" and insert "(2)".

41       Page 18, between lines 31 and 32, begin a new paragraph and insert:

42               **"(k) The following vehicles are exempt from the requirements**  
 43       **of subsection (h) or (i), whichever is appropriate:**

44               **(1) A gasoline fueled vehicle in which the use of mid-level**  
 45               **blend fuel or E85 has not been approved by the manufacturer.**

46               **(2) A diesel fueled vehicle in which the use of blended**  
 47               **biodiesel fuel has not been approved by the manufacturer.**

1           **(3) A gasoline fueled vehicle in which the use of mid-level**  
2           **blend fuel is prohibited by the federal Clean Air Act (42**  
3           **U.S.C. 7401 et seq.)."**

4           Renumber all SECTIONS consecutively.

(Reference is to EHB 1398 as printed March 18, 2009.)

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Senator GARD